

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION**

ISIDRO MIGUEL DELACRUZ,
Petitioner,

v.

ERIC GUERRERO, Director,
Texas Department of
Criminal Justice,
Correctional Institutions Division,
Respondent.

Case No. 6:24-cv-00013-H

U.S. District Judge James Wesley Hendrix

**MOTION TO SUSPEND DEADLINES AND STAY PROCEEDINGS PENDING
APPEAL**

Petitioner Isidro Miguel Delacruz respectfully requests that this Court suspend the current deadlines and stay proceedings in this matter pending resolution of the Director's interlocutory appeal. The Director takes no position as to this motion.

On June 6, 2025, this Court granted Mr. Delacruz's motion to be free from hand restraints during his expert neuropsychological evaluation. ECF No. 22. On June 8, 2025, the Director filed an Opposed Motion For A Stay Pending Resolution of Appellate Proceedings because he believed this Court lacked jurisdiction to issue that order. ECF No. 24. The Director also filed a Notice of Interlocutory Appeal. ECF No. 23. This Court denied the Director's motion on June 9, 2025, determining that it had both the jurisdiction and the authority to order Mr. Delacruz unhandcuffed during his expert evaluation. ECF No. 27. That same day, the Director filed an Opposed Urgent Motion To Stay District Court Proceedings Pending Appeal in the United States Court of Appeals for the Fifth Circuit. *Delacruz v. Guerrero*, No. 25-70011 (5th Cir. June 9, 2025), ECF No. 13-1. The Fifth

Circuit granted the Director's motion and issued a docket entry indicating that it granted the Director's motion to stay district court proceedings. *Delacruz v. Guerrero*, No. 25-70011 (5th Cir. June 9, 2025), ECF No. 33. The Director then filed an Advisory in this Court on June 10, 2025, notifying this Court that "the Fifth Circuit granted the Director's urgent motion and stayed execution of this Court's Order, ECF No. 22, signed on June 6, 2025, and these district court proceedings pending appeal." ECF No. 28.

In light of these developments, Mr. Delacruz respectfully requests that this Court enter an order suspending the pending deadlines and staying all proceedings in this Court pending the Fifth Circuit's resolution of the Director's interlocutory appeal. The Supreme Court has made clear that "district courts have the inherent authority to manage their dockets and courtrooms with a view toward the efficient and expedient resolution of cases." *Dietz v. Bouldin*, 579 U.S. 40, 47 (2016) (citing *Landis v. North American Co.*, 229 U.S. 248, 254 (1936)). This authority includes the inherent power to stay proceedings pending resolution of parallel actions in other courts. *See Landis*, 229 U.S. at 254. Pursuant to this inherent authority, district courts routinely stay district court proceedings upon commencement of appellate proceedings occurring prior to judgment being entered in order to conserve judicial resources. *See, e.g.*, Order, *Ayestas v. Lumpkin*, No. 4:09-cv-02999 (S.D. Tex. May 10, 2023), ECF No. 140; Order, *Johnson v. Lumpkin*, No. 4:19-cv-03047 (S.D. Tex. Jan. 11, 2023), ECF No. 84; Order Administratively Closing Case, *Tracy v. Director*, No. 5:20-cv-00156-MJT (E.D. Tex. July 12, 2022), ECF No. 37. To conserve judicial resources and reduce the risk of overlapping parallel proceedings, suspending current deadlines and staying these proceedings is appropriate under the circumstances.

CONCLUSION

For the foregoing reasons, Mr. Delacruz respectfully requests that this Court suspend the current deadlines and stay the proceedings in this matter pending resolution of the Director's interlocutory appeal.

Respectfully submitted,

DATED: June 12, 2025

JASON D. HAWKINS
Federal Public Defender

/s/ Kathryn Wood Hutchinson
Kathryn Wood Hutchinson (TX 24078707)
Assistant Federal Public Defender

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Counsel for Petitioner

CERTIFICATE OF CONFERENCE

Kathryn Wood Hutchinson, lead counsel for Mr. Delacruz, conferred with opposing counsel, Katie Abell of the Texas Office of the Attorney General on June 11, 2025, via email. Ms. Abell stated that her office will take no position as to this motion.

/s/ Kathryn Wood Hutchinson
Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion has been filed in and served by CM/ECF upon counsel for Respondent on June 12, 2025:

Katie Abell
Habeas Corpus Division
Office of the Attorney General
P.O. Box 12548
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/s/ Kathryn Wood Hutchinson
Counsel for Petitioner